

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v -

JOHN L. QUINN,

Defendant.

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:  
: INDICTMENT

: 06 Cr.

: **06 CRIM. 1042**

COUNT ONE  
(Bank Fraud)

The Grand Jury charges:

Background

1. At all times relevant to this Indictment, Deutsche Bank AG was a global bank with its headquarters in Germany and offices throughout the world. Deutsche Bank Trust Company Americas was a subsidiary of Deutsche Bank AG, with its principal place of business located at 60 Wall Street, New York, New York. DB Services New Jersey, Inc. ("DB Services") was a subsidiary of Deutsche Bank Trust Company Americas, with its principal place of business located at 90 Hudson Street, Jersey City, New Jersey. (Collectively referred to herein as "Deutsche Bank").

2. At all times relevant to this Indictment, JOHN L. QUINN, the defendant, was employed as an Assistant Vice President in the Deal Administration Department of DB Services. The Deal Administration Department, among other things, performed Deutsche Bank's operational role as an agent between other corporate lenders and their borrowers. As a result of his position as a

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deal administrator, QUINN had access to funds being held by Deutsche Bank in certain operational accounts in connection with various lending transactions.

3. On or about June 8, 2004, JOHN L. QUINN opened a bank account at the Bank of America (the "BofA Account") in the name of Quorum Investments, Inc. ("Quorum"). QUINN was the sole signatory on the account, and signed the account opening documentation as the President of Quorum. QUINN listed his home address in New York, New York as the mailing address for Quorum on the BofA Account.

4. At times relevant to this Indictment, The Hayes Foundations, LLC was an entity engaged in developing restaurants in or around the Atlanta, Georgia area. On or about May 19, 2006, an account in the name of The Hayes Foundations, LLC was opened at Wachovia Bank (the "Wachovia Account"). JOHN L. QUINN was one of two signatories on the Wachovia Account, which listed QUINN as a Vice President of The Hayes Foundations.

#### **The Scheme To Defraud**

5. From in or about June 2004, up to and including in or about September 2006, JOHN L. QUINN executed a scheme to defraud Deutsche Bank out of millions of dollars by causing Deutsche Bank to wire transfer funds to QUINN's company, Quorum. In order to execute this scheme, in or about June 2004, QUINN fraudulently entered, or caused to be entered, Quorum into

Deutsche Bank's computer system as a lender associated with the transactions administered by Deutsche Bank's Deal Administration Department. In doing so, QUINN provided remittance instructions on behalf of Quorum, in order for subsequent wire transfers of funds to be approved for transfers from Deutsche Bank to the BofA Account.

6. Starting on or about June 14, 2004, and continuing through on or about September 29, 2006, on approximately 53 occasions, JOHN L. QUINN entered into the Deal Administration Department's system wire transfer instructions falsely and fraudulently purporting to represent payments to Quorum as a bona fide lender for which Deutsche Bank acted as an agent, and caused those wire transfer instructions to be approved by supervisors in the Deal Administration Department. In truth and in fact, as QUINN well knew, any payments made by Deutsche Bank to Quorum were not associated with any legitimate business of Deutsche Bank, but rather were for the personal benefit of QUINN and QUINN's associates.

7. As a result of this scheme executed by JOHN L. QUINN, from on or about June 14, 2004 through on or about September 29, 2006, QUINN fraudulently caused Deutsche Bank to transfer in excess of \$13 million to Quorum. Among other things, QUINN used the proceeds of the fraudulent scheme to: (i) purchase expensive automobiles, (ii) purchase jewelry, and (iii) fund The

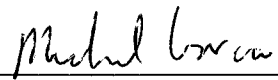
Hayes Foundations. For example, on or about September 5 and September 22, 2006, QUINN fraudulently caused Deutsche Bank to make two wire transfers to Quorum's BofA Account, totaling in excess of \$2.6 million. On or about September 27, 2006, QUINN wire transferred approximately \$2.5 million from the BofA Account to The Hayes Foundations' Wachovia Account.

**Statutory Allegation**

8. From in or about June 2004, up to and including in or about September 2006, in the Southern District of New York and elsewhere, JOHN L. QUINN, the defendant, unlawfully, willfully, and knowingly, executed and attempted to execute a scheme and artifice to defraud a financial institution and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, a scheme to defraud Deutsche Bank and its affiliates out of millions of dollars through wire transfers to QUINN's company, Quorum.

(Title 18, United States Code, Section 1344.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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**INDICTMENT**

06 Cr.

18 U.S.C. § 1344

MICHAEL J. GARCIA  
United States Attorney.

**A TRUE BILL**

*Mark Chao*

Foreperson.

Post 11/87

Re  
11/13/06

Indictment filed, case assigned to  
Judge McKenna.

7. Mass, USM5